

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

TERRENCE KEITH PAYNE,

Petitioner,

v.

Case No. 4:22-cv-426-AW-MAF

RICKY DIXON,

Respondent.

_____ /

ORDER OF TRANSFER

Petitioner Terrence Keith Payne initiated this § 2254 proceeding to challenge his state-court conviction and sentence. He is incarcerated in this district, but his underlying conviction was in Duval County, which is in the Middle District. The state moved to transfer, and the magistrate judge recommends granting that motion.

I have considered the magistrate judge's report and recommendation (ECF No. 11), to which there has been no objection. I have determined the report and recommendation should be adopted, and I now incorporate it into this order.¹

The motion for transfer (ECF No. 9) is GRANTED. The clerk will take appropriate steps to transfer this proceeding to the United States District Court for the Middle District of Florida. The clerk will then close the file.

¹ I do not adopt or incorporate the portion of the report and recommendation addressing a certificate of appealability. This transfer order is not a final order adverse to Petitioner.

SO ORDERED on May 25, 2023.

s/ Allen Winsor
United States District Judge